

Remarks

Claim 5 remains pending after entry of the above amendments.

Claim 5 was rejected as obvious in view of the combination of GB '785 in view of Tweed et al. Applicants respectfully traverse this rejection. The examiner states that it would have been obvious to one of ordinary skill in the art to employ a retractable shield (as taught by the Tweed et al.) into the device of the GB '785 patent in order to protect the sharpening stone from debris when not in use. However, the GB '785 patent is directed to a type of sharpener that includes a knife guard housing that is normally positioned to protect the edge of the knife and when a sharpening operation is performed the sharpener housing, including the knife guard portion, is moved in its entirety so that the sharpening stone can engage the knife edge. This fact is readily ascertainable because GB '785 specifically states (see page 1, lines 21-67) that its sharpener is of the type described in GB 1,213,643 (copy enclosed - note Fig. 2 of GB '643). Thus, in GB '785 the sharpening stone is already protected from debris when not in use as demonstrated by Fig. 2 of GB '643. Accordingly, there would be no reason for one of ordinary skill in the art to modify GB '785 to include the retractable shield of Tweed et al. The examiner's basis for making the combination is not supported by the art. Withdrawal of the obviousness rejection of claim 5 is therefore requested.

Applicants disagree with the rejection of claims 6-8. However, in an effort to expedite this case claims 6-8 and 19 have been canceled above without prejudice.

Applicants are filing a Notice of Appeal with this response.

Please contact the undersigned attorney with any questions regarding this response.

Respectfully submitted,


Michael J. Nieberding
Reg. No. 39,316

THOMPSON HINE LLP
2000 Courthouse Plaza NE
10 West Second Street
Dayton, Ohio 45402-1758
Telephone (937) 443-6892
Facsimile: (937) 443-6635

531942